

Embden Planning Board – March 9, 2023

Members present were Chairman Leo Mayo, Ann Bridges, Myles Durkin, Kelly Bragg and alternates Randy Caldwell and Aaron Crocker. Also present were CEO Terri Lamontagne, Seth Goucher, Jill and Tim Storey, and Robert Knowles. The Chairman asked Randy Caldwell to sit in place of Bill Gassert.

The minutes of the February, 2023 meeting were accepted as presented.

On the agenda was an application by Tim and Jill Storey (1177 Embden Pond Road; Tax Map 023, Lot 011; site review 02/25/2023; TR#230356-1 - \$25.00) to increase size of retaining wall to be no closer than 86' HWM; to emplace 42 yds. fill on the south side of dwelling; to increase size and to screen in porch. A motion was made by KB and seconded by MD to table any further action until the application has been completed to show dimensions of the retaining wall and the porch. All were in favor.

Next on the agenda was Seth Goucher, agent for Colin Quinn's proposed subdivision (Tax Map 3, Lot 1) on Fahi Pond Road and Eames Road. Mr. Goucher indicated that the landowner had changed the size of the subdivision from 5 lots to 4 lots. The landowner has divided the lot into 2 lots for sale; the one lot previously sold; and will retain the balance of the property. Mr. Goucher submitted a new application and sketch plan for the smaller subdivision. The two lots will access off the Eames Road. The name of the subdivision will be "Fahi Pond Subdivision". A motion was made by AB and seconded by MD to revoke the application for the major subdivision previously submitted by Mr. Quinn.

The sketch plan and new application were accepted and a receipt for same was issued.

A motion was made by AB and seconded by KB to classify the subdivision as a minor subdivision. All were in favor. A motion was made by AB and seconded by MD to accept the preliminary plan as submitted. All were in favor.

Mr. Goucher asked what the fee would be and was told that it would be \$250.00 for a minor subdivision plus \$100.00 per lot for a total of \$650.00. He indicated that Mr. Quinn would forward the fee to the town next week.

The next item discussed was whether there was any need for a public hearing and was it one of the items that could be waived. A great deal of discussion followed as to the need for a public hearing since Mr. Goucher felt that the landowner was the only abutting landowner. After much consideration as to the need, a motion was made by AB and seconded by MD to waive any public hearing since the landowner appeared to be the only abutter. All were in favor.

Mr. Goucher indicated that he was prepared to submit the final plan. The Chairman indicated that they need to wait 30 days from tonight to submit the final plan. The Chairman advised the CEO to put them on the agenda for the April meeting.

Next on the agenda was an application by Darren Priest (472 East Shore Road; Tax Map 18, Lot 19; site review completed 02/15/2023; TR#230214-1 - \$25.00) to construct a roof over the existing deck by raising the roof for a second story on the existing dwelling 60' HWM. The CEO indicated that by raising the roof for a second story the height of the dwelling would exceed that height allowed. She indicated that Mr. Priest had measured the height of the structure (23') from the driveway, not from the downhill side of the structure. The dwelling has a daylight foundation.

The Board members reviewed the ESZO Section C. Non-conforming Structures (1) (c)(i) which states for structures located less than 75 feet from normal high-water line The maximum height of any structure may not be greater than 20 feet or the height of the existing structure whichever is greater.

A motion was made by RC and seconded by MD to allow Mr. Priest to raise the roof for a second story and roof over the existing porch. All were opposed. The secretary was instructed to prepare a letter of denial to Mr. Priest to include the sections on the ESZO as set forth above as well a copy of the definition "Height of a structure" from ESZO along with an appeal form.

Permit #	Issued to	Construction Type	Plumbing Permit #	Amt.	TR #
2886	Darren Priest	To construct 16' x 24' carport on east side of dwelling on concrete slab; site review completed 02/15/2023; 472 East Shore Road; Tax Map 18, Lot 19		\$25.00	#230214-1

The secretary asked the chairman if she could go over the changes to the Solar Moratorium made by the town's attorney and to read his comment concerning the water run off at the solar farm on the Kennebec River Road. The Chairman gave his okay. The secretary gave the board members a copy of the revised moratorium for review and that she and the CEO will try to schedule an appointment with Ken Lexier for one clarification if he is available. The secretary read the town's attorney comments about the run off which indicated that this was a private matter between property owners and nothing that the Town should be involved with.

There being no further business to come before the Board, it was voted to adjourn. Adjourned at 8:50 p.m.

Respectfully submitted,

Ann C. Bridges, Secretary